

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON AGRICULTURE

Call to Order: Chair Krayton Kerns, on March 22, 2011 at 3:00 PM, in Room 472 Capitol

ROLL CALL

Members Present:

Rep. Krayton Kerns, Chair (R)
Rep. Bob Wagner, Vice Chair (R)
Rep. Joanne G. Blyton (R)
Rep. Christy Clark (R)
Rep. Steve Fitzpatrick (R)
Rep. Alan Hale (R)
Rep. Brian Hoven (R)
Rep. David Howard (R)
Rep. Margaret (Margie) MacDonald (D)
Rep. Jonathan McNiven (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Lee Randall (R)
Rep. Joe Read (R)
Rep. Daniel R. Salomon (R)
Rep. Sterling Small (R)
Rep. Frank Smith (D)

Members Excused: None

Members Absent: Rep. Timothy Furey, Vice Chair (D)
Rep. Edith (Edie) McClafferty (D)
Rep. Pat Noonan (D)
Rep. Lila Walter Evans (R)
Rep. Kathleen Williams (D)

Staff Present: Dave Bohyer, Legislative Branch
Lauren Head, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 237, 3/15/2011

Executive Action on: SJ 14, SB 5, SB 74, SB 142, SB 143, SB 195, SB 277, SB 384

EXECUTIVE ACTION ON SJ 14

00:01:34 **Motion:** Rep. Wagner moved that **SJ 14 BE CONCURRED IN.**

Discussion:

00:02:26 Rep. Furey joined the meeting.

00:02:39 Rep. McClafferty joined the meeting.

00:02:47 Rep. Clark

00:03:01 Chairman Kerns

00:03:11 **Vote:** Motion carried 15-6 by roll call vote with Rep. Evans, Rep. Kerns, Rep. McClafferty, Rep. Noonan, Rep. Smith and Rep. Wagner voting no. Rep. Evans voted by proxy. Rep. Howard will carry the bill.

EXECUTIVE ACTION ON SB 5

00:05:46 **Motion:** Rep. Wagner moved that **SB 5 BE CONCURRED IN.**

Discussion:

00:06:14 Rep. Hoven

00:06:36 **Vote:** Motion carried 19-2 by voice vote with Rep. Kerns and Rep. Wagner voting no. Rep. Evans voted by proxy. Rep. Hoven will carry the bill.

EXECUTIVE ACTION ON SB 74

00:07:04 **Motion:** Rep. Wagner moved that **SB 74 BE CONCURRED IN.**

Discussion:

00:07:47 Vice Chair Wagner

00:08:44 **Vote:** Motion carried unanimously by voice vote. Rep. Evans voted by proxy. Rep. Wagner will carry the bill.

EXECUTIVE ACTION ON SB 142

00:09:09 **Motion:** Rep. Wagner moved that **SB 142 BE CONCURRED IN.**

00:10:02 **Motion:** Rep. Wagner moved that **SB 142 BE AMENDED.**
EXHIBIT(agh64a01)

Discussion:

00:10:15 Vice Chairman Wagner
00:12:18 Rep. MacDonald
00:12:55 Vice Chair Wagner
00:14:50 Rep. Pease-Lopez
00:15:18 Vice Chair Wagner
00:15:51 Rep. Williams
00:16:15 Vice Chair Wagner
00:16:24 Rep. Williams
00:16:30 Dave Bohyer, Legislative Services Division (LSD)
00:17:10 Rep. Williams
00:17:16 Vice Chair Wagner
00:17:48 Rep. Howard
00:18:08 Vice Chair Wagner
00:18:17 Chairman Kerns
00:18:28 Vice Chair Wagner
00:18:34 Rep. Williams
00:19:05 Rep. Hoven

00:19:28 **Vote:** Motion carried 12-9 by roll call vote with Rep. Fitzpatrick, Rep. Furey, Rep. Hoven, Rep. MacDonald, Rep. McClafferty, Rep. McNiven, Rep. Noonan, Rep. Pease-Lopez and Rep. Williams voting no. Rep. Evans voted by proxy.

00:20:34 **Motion:** Rep. Wagner moved that **SB 142 BE CONCURRED IN AS AMENDED.**

Discussion:

00:20:42 Rep. MacDonald
00:21:38 Rep. Randall
00:22:02 Rep. McNiven
00:22:48 Rep. Hoven

00:23:25 **Vote:** Motion failed 9-12 by roll call vote with Rep. Blyton, Rep. Clark, Rep. Evans, Rep. Fitzpatrick, Rep. Hale, Rep. Howard, Rep. Kerns, Rep. Randall and Rep. Wagner voting aye. Rep. Evans voted by proxy.

00:24:34 **Motion/Vote:** Rep. Wagner moved that **SB 142 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote, present and voting.

EXECUTIVE ACTION ON SB 143

00:24:51 **Motion:** Rep. Wagner moved that **SB 143 BE CONCURRED IN.**

Discussion:

00:25:20 Rep. Furey
00:25:59 Rep. Randall
00:26:23 Rep. Salomon
00:26:46 Mr. Bohyer

00:28:03 **Motion/Vote:** Rep. Wagner moved that **SB 143 BE AMENDED.** Motion carried unanimously by voice vote, present and voting.

EXHIBIT(agh64a02)

00:28:35 **Motion:** Rep. Wagner moved that **SB 143 BE CONCURRED IN AS AMENDED.**

Discussion:

00:28:44 Rep. MacDonald
00:29:53 Rep. Hoven
00:30:37 Rep. McNiven
00:31:01 Rep. Williams
00:31:20 Chairman Kerns

00:31:35 **Vote:** Motion failed 10-11 by roll call vote with Rep. Blyton, Rep. Clark, Rep. Evans, Rep. Hale, Rep. Kerns, Rep. Randall, Rep. Read, Rep. Salomon, Rep. Smith and Rep. Wagner voting aye. Rep. Evans voted by proxy.

00:32:45 **Motion/Vote:** Rep. Wagner moved that **SB 143 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote, present and voting.

EXECUTIVE ACTION ON SB 195

00:33:00 **Motion:** Rep. Wagner moved that **SB 195 BE CONCURRED IN.**

Discussion:

00:33:34 Rep. McNiven
00:34:24 Rep. Salomon
00:34:51 Rep. Clark

00:35:16 **Vote:** Motion carried 18-3 by roll call vote with Rep. Evans, Rep. Kerns and Rep. Wagner voting no. Rep. Evans voted by proxy. Rep. Clark will carry the bill.

EXECUTIVE ACTION ON SB 277

00:36:42 **Motion:** Rep. Wagner moved that **SB 277 BE CONCURRED IN.**

Discussion:

00:37:14 Chairman Kerns
00:37:42 Rep. MacDonald
00:38:17 Chairman Kerns
00:38:36 Rep. Salomon
00:39:13 Rep. Clark
00:39:44 Rep. Furey
00:39:59 Christian MacKay, Department of Livestock
00:40:06 Rep. Furey
00:40:17 Mr. MacKay
00:40:33 Rep. Furey
00:40:46 Mr. MacKay

00:41:10 **Vote:** Motion carried 16-5 by roll call vote with Rep. Furey, Rep. Hoven, Rep. MacDonald, Rep. McClafferty and Rep. Pease-Lopez voting no. Rep. Evans voted by proxy. Rep. Salomon will carry the bill.

EXECUTIVE ACTION ON SB 384

00:42:37 **Motion:** Rep. Wagner moved that **SB 384 BE CONCURRED IN.**

Discussion:

00:43:08 Rep. Blyton
00:44:04 Rep. Read
00:44:47 Rep. Williams
00:45:03 Rep. MacDonald
00:45:10 Rep. Salomon
00:45:27 Rep. Randall

00:45:36 **Substitute Motion/Vote:** Rep. Randall made a substitute motion that **SB 384 BE TABLED.** Substitute Motion carried unanimously by voice vote, present and voting.

HEARING ON SB 237

Opening Statement by Sponsor:

00:46:08 Sen. Ron Arthun (R), SD 31, opened the hearing on SB 237, Revise laws relating to brucellosis surveillance.

Proponents' Testimony:

00:48:44 Druska Kinkie, Cattle Producers for Responsible Animal Health Development
(Cattle PRAHD)

EXHIBIT(agh64a03)

00:51:57 Rep. Fitzpatrick left the meeting.

01:00:53 Steve Pilcher, self

01:02:29 Rep. Noonan left the meeting.

01:05:18 Marty Malone, Park County Commissioner

EXHIBIT(agh64a04)

01:07:00 Rep. Howard left the meeting.

01:10:55 Rep. McNiven left the meeting.

01:11:12 John Anderson, self

EXHIBIT(agh64a05)

01:15:52 Rep. McNiven rejoined the meeting.

01:17:05 Rep. Randall left the meeting.

01:17:32 Jay Bailey, self

EXHIBIT(agh64a06)

01:21:06 Jane Tecca, self

EXHIBIT(agh64a07)**EXHIBIT(agh64a08)**

01:24:07 Yvonne Martinell, self

01:28:23 Rep. Fitzpatrick rejoined the meeting.

01:30:31 Meg Smith, self

01:33:01 Silas Smith, self

01:33:38 Ariel Overstreet, Montana Stockgrowers Association (MSGA), Montana
CattleWomen, Women Involved in Farm Economics (WIFE), Montana Farm
Bureau Federation (MFBF)

01:34:12 Vice Chair Wagner left the meeting.

01:34:45 Stuart Doggett, Montana Veterinary and Medical Association

01:35:11 Rachel Kinkie, Cattle PRAHD, Park and Madison Counties, MFBF

EXHIBIT(agh64a09)

01:35:52 Rep. Hale left the meeting.

01:36:29 Rep. Read left the meeting.

01:38:48 Rep. Hale rejoined the meeting.

Opponents' Testimony:

01:39:44 Ken McDonald, Fish, Wildlife, and Parks (FWP)

EXHIBIT(agh64a10)

01:40:38 Rep. Noonan rejoined the meeting.

01:43:24 Rep. Furey left the meeting.

01:43:58 Rep. Read rejoined the meeting.

01:44:07 Rep. Small left the meeting.

01:47:51 Marty Zaluski, Veterinarian, Department of Livestock

01:48:23 Vice Chair Wagner rejoined the meeting.

01:50:03 Rep. Pease-Lopez left the meeting.

01:52:40 Christian MacKay, Executive Officer, Board of Livestock

EXHIBIT(agh64a11)

01:55:13 Rep. Furey rejoined the meeting.

Informational Testimony: None

Questions from Committee Members and Responses:

01:59:51	Rep. McClafferty
02:00:39	Ms. Kinkie
02:01:27	Rep. McClafferty
02:01:44	Ms. Kinkie
02:02:26	Rep. McClafferty
02:02:45	Sen. Arthun
02:03:02	Rep. McClafferty
02:03:15	Sen. Arthun
02:03:39	Rep. MacDonald
02:04:14	Mr. McDonald
02:04:27	Rep. MacDonald
02:05:03	Mr. MacKay
02:05:19	Rep. MacDonald
02:05:25	Mr. MacKay
02:05:47	Rep. MacDonald
02:05:51	Mr. MacKay
02:06:00	Vice Chair Wagner
02:06:30	Dr. Zaluski
02:08:06	Vice Chair Wagner
02:08:32	Dr. Zaluski
02:09:04	Vice Chair Wagner
02:09:20	Dr. Zaluski
02:09:26	Rep. Williams
02:10:27	Mr. McDonald
02:10:38	Rep. Williams
02:10:42	Dr. Zaluski
02:10:46	Rep. Williams
02:10:55	Rep. Randall rejoined the meeting.
02:11:17	Dr. Zaluski
02:11:38	Rep. Williams
02:11:43	Dr. Zaluski
02:11:56	Rep. Williams
02:12:09	Dr. Zaluski
02:13:12	Rep. Williams
02:13:20	Dr. Zaluski
02:14:24	Rep. Clark
02:14:37	Mr. McDonald
02:16:51	Rep. Clark
02:17:04	Mr. McDonald
02:17:28	Rep. Clark
02:17:30	Mr. McDonald
02:17:43	Rep. Clark
02:17:54	Mr. McDonald
02:18:13	Rep. McNiven
02:18:53	Rep. McClafferty left the meeting.
02:19:21	Mr. Malone

02:19:25 Rep. McNiven
02:19:53 Mr. Malone
02:20:32 Rep. McNiven
02:20:35 Mr. Malone
02:20:39 Rep. McNiven
02:20:43 Mr. Malone
02:21:01 Rep. McNiven
02:22:21 Sen. Arthun
02:23:07 Rep. McNiven
02:23:18 Sen. Arthun
02:23:31 Rep. Hoven
02:24:07 Sen. Arthun
02:24:59 Rep. Hoven
02:25:19 Dr. Zaluski
02:25:38 Rep. Hoven
02:25:45 Dr. Zaluski
02:26:15 Rep. Hoven
02:26:31 Dr. Zaluski
02:26:57 Rep. Hoven
02:27:14 Mr. McDonald
02:29:03 Rep. Hoven
02:29:16 Mr. McDonald
02:29:37 Rep. McClafferty rejoined the meeting.
02:29:46 Chairman Kerns
02:30:18 Dr. Zaluski

Closing by Sponsor:

02:31:47 Sen. Arthun

ADJOURNMENT

02:34:00 Adjournment

Lauren Head, Secretary

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Additional Documents:

EXHIBIT([agh64aad.pdf](#))